



## FISCAL MEMORANDUM

### HB 353 - SB 552

March 7, 2023

**SUMMARY OF BILL AS AMENDED (004855):** Creates the *Sergeant Chris Jenkins Law*. Creates a Class C misdemeanor offense for a circumstance in which a person is transporting a ladder with a motor vehicle upon a public roadway and the ladder falls onto the roadway and causes or contributes to a motor vehicle accident. Enhances the offense to a Class A misdemeanor if the motor vehicle accident results in death or bodily injury.

### FISCAL IMPACT OF BILL AS AMENDED:

#### NOT SIGNIFICANT

Assumptions for the bill as amended:

- It is assumed that persons convicted of a Class C misdemeanor will not serve any time in jail. Therefore, any increase in local expenditures related to incarceration as a result of violations of any additional Class C misdemeanor offenses are estimated to be not significant.
- Based on the Fiscal Review Committee's 2008 study and the Administrative Office of the Courts' 2012 study on collection of court costs, fees, and fines, collection in criminal cases is minimal due to defendants often not being able to pay them; therefore, any increase in local revenue from fines is estimated to be not significant.
- In the event a ladder falls out onto a roadway and causes or contributes to an accident, it is assumed that the person responsible could currently be charged under Tenn. Code Ann. § 55-10-101 for an accident involving death or personal injury, if the accident resulted in such, or otherwise for reckless endangerment under Tenn. Code Ann. § 39-13-103. The penalty for offenses under both of these sections is, at minimum, a Class A misdemeanor. Therefore, any increase in local expenditures related to incarceration as a result of violations of the new Class A misdemeanor offense is estimated to be not significant, as is any increase in local revenue related to fines for violations of the offense.
- Any fiscal impact to local government is estimated to be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/jj